

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for December 8, 2004 PLANNING COMMISSION MEETING

P.A.S.: Special Permit #04064

PROPOSAL: To allow the sale of alcoholic beverages for consumption on the premises at the Chipotle Mexican Grill at South Ridge.

CONCLUSION: This request complies with all applicable criteria for a special permit for the sale of alcohol for consumption on the premises.

| | |
|-------------------------------|----------------------|
| <u>RECOMMENDATION:</u> | Conditional Approval |
|-------------------------------|----------------------|

GENERAL INFORMATION:

LEGAL DESCRIPTION: See attached ownership certificate.

LOCATION: Southeast of the intersection of South 27th Street and Pine Lake Road.

EXISTING ZONING: H-4 General Commercial

EXISTING LAND USE: Commercial/Office

SURROUNDING LAND USE AND ZONING:

| | | |
|--------|-------------------|-----|
| North: | Commercial | H-4 |
| South: | Office/Commercial | O-3 |
| East: | Office/Commercial | H-4 |
| West: | Commercial | H-4 |

COMPREHENSIVE PLAN SPECIFICATIONS: The Comprehensive Plan designates commercial land uses in this area.

HISTORY:

August, 1996 - SP#1629 was approved to allow a 215,000 square foot planned service commercial development located at the southeast corner of South 27th Street and Pine Lake Road.

February, 1994 - CZ#2740 was approved establishing the existing O-3 and H-4 zoning in this area.

BACKGROUND: This request is to allow the sale of alcohol for consumption on the premises at the Chipotle Mexican Grill, a new restaurant being constructed in the South Ridge shopping center. The restaurant is approximately 2,831 square feet in area, and is one of several tenants in the multi-tenant commercial building now under construction. The establishment is primarily a restaurant (projected revenue is 85% food sales, 15% alcohol sales), and there is no off-sale component associated with it.

ANALYSIS:

1. SPECIAL PERMIT REQUIREMENTS PER LINCOLN MUNICIPAL CODE (LMC)

27.63.680: Alcoholic beverages may be sold for consumption on the premises in the B-1, B-3, H-1, H-2, H-3, H-4, I-1, I-2 and I-3 zoning districts upon the approval of a special permit. Alcoholic beverages may also be sold for consumption on the premises as an accessory use to a golf course or country club as part of a separate special permit under Section 27.63.130 approving the golf course or country club in any district where recreational facilities are allowed as a permitted use, permitted conditional use, or permitted special use. A special permit for such use may be granted subject to the requirements of the respective districts, all applicable ordinances, and the following conditions:

(a) Parking shall be provided on-site at the ratio of one space per 100 square feet of gross floor area.

There is a cross-parking agreement over this center, and this tenant is granted the use of required number of parking spaces in accordance with LMC Chapter 27.67. Based upon floor area, 29 spaces are required.

(b) The sale of alcoholic beverages for consumption off the premises shall not be permitted without issuance of a permit under LMC Section 27.63.685 of this code.

This application is for a special permit to allow the sale of alcohol for consumption on the premises. The sale of alcoholic beverages off the premises is not a part of this proposal and is not being requested.

(c) The designated area specified in a license issued under the Nebraska Liquor Control Act of any building approved for such activity must be located no closer than 100 feet from a day care facility, park, church, state mental health institution, or a residential district (except where such use is accessory to a golf course or country club).

The licensed premises is centrally located within a larger office/commercial center zoned O-3 and H-4. The licensed premises is more than 100' away from a day care facility, park, church, state mental health institution, or residential district.

(d) Any lighting on the property shall be designed and erected in accordance with all applicable lighting regulations and requirements.

All development within South Ridge is subject to the Parking Lot Lighting Standards of the City of Lincoln Design Standards and will be reviewed at the time of building permits.

(e) Vehicle stacking for a drive-through window used as any part of the permitted business operation shall not be located in any required building setback from a residential district.

A drive-through window is not shown as part of this application.

(f) The use shall not have any amplified outside sound or noise source, including bells, buzzers, pagers, microphones, or speakers within 150 feet of any residential district. This shall not apply to sound sources audible only to the individual to whom they are directed, such as personal pagers, beepers, or telephones.

No such devices are shown as part of this application.

(g) No access door to the business, including loading or unloading doors, shall face any residential district if such doors are within 150 feet of the residential district. This shall not apply to emergency exit doors required by building or safety codes. No door facing a residential district shall be kept open during the operation of the establishment.

There is no potential for access doors being located within 150' of a residential district. The nearest residential district is in excess of 300' away south of the site.

(h) Vehicular ingress and egress to and from the property shall be designed to avoid, to the fullest extent possible as determined by the City Council, disruption of any residential district. Particular attention shall be given to avoiding designs that encourage use of residential streets for access to the site instead of major streets.

Access to the subject premises is from streets internal to the development. These internal streets intersect with South 27th and 29th Streets, and Porter Ridge Road, none of which are considered “residential streets” at this location.

(i) All other regulatory requirements for liquor sales shall apply, including licensing by the state.

(j) The City Council may consider any of the following as cause to revoke the special permit approved under these regulations:

(1) Revocation or cancellation of the liquor license for the specially permitted premises; or

(2) Repeated violations related to the operation of the permittee's business.

(3) Repeated or continuing failure to take reasonable steps to prevent unreasonable disturbances and anti-social behavior on the premises related to the operation of the permittee's business including, but not limited to, violence on site, drunkenness, vandalism, solicitation, or litter.

Planning Commission approval is required for this use.

CONDITIONS:

Site Specific:

1. This approval permits the sale of alcohol for consumption on the premises at Lot 1, South Ridge Village 8th Addition as shown on the attached site plan.

General:

2. Before receiving building permits:
 - 2.1 The permittee shall complete the following instructions and submit the documents and plans to the Planning Department for review and approval.
 - 2.1.1 Submit six copies of a revised site plan that includes dimensions, property lines, a scale and north arrow, and clearly delineates the tenant space of the licensed premises.

Standard:

3. The following conditions are applicable to all requests:

- 3.1 Before the sale of alcohol for consumption on the premises, all development and construction is to comply with the approved plans.
- 3.2 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
- 3.3 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
- 3.4 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.

Prepared by:

Brian Will, AICP, 441-6362, bwill@lincoln.ne.gov
Planner
November 23, 2004

OWNER: South Ridge, LLC
8200 Cody Drive Suite F
Lincoln, NE 68512
(402) 423-7377

APPLICANT: Chipotle Mexican Grill
1543 Wazee Street Suite 200
Denver, CO 80202
(303) 595-4000

CONTACT: John Boehm
811 South 13th Street
Lincoln, NE 68508
(402) 475-0811



2002 aerial

Special Permit #04064 S. 28th & Pine Lake Rd.

Zoning:

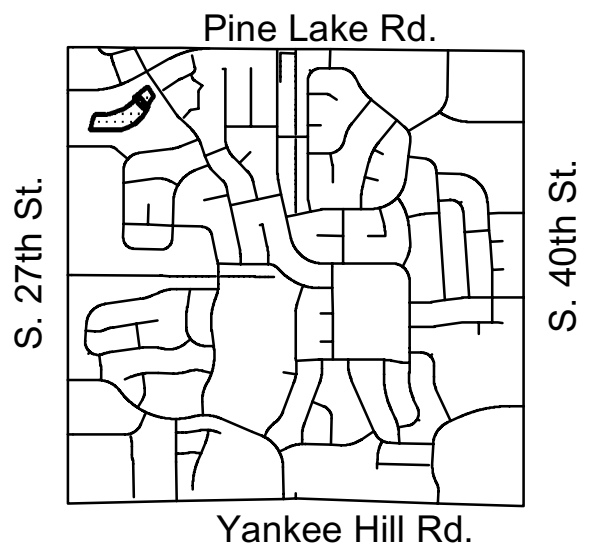
| | |
|------------|--|
| R-1 to R-8 | Residential District |
| AG | Agricultural District |
| AGR | Agricultural Residential District |
| R-C | Residential Conservation District |
| O-1 | Office District |
| O-2 | Suburban Office District |
| O-3 | Office Park District |
| R-T | Residential Transition District |
| B-1 | Local Business District |
| B-2 | Planned Neighborhood Business District |
| B-3 | Commercial District |
| B-4 | Lincoln Center Business District |
| B-5 | Planned Regional Business District |
| H-1 | Interstate Commercial District |
| H-2 | Highway Business District |
| H-3 | Highway Commercial District |
| H-4 | General Commercial District |
| I-1 | Industrial District |
| I-2 | Industrial Park District |
| I-3 | Employment Center District |
| P | Public Use District |

One Square Mile
Sec. 19 T9N R7E



Zoning Jurisdiction Lines

City Limit Jurisdiction



Lincoln City - Lancaster County Planning Dept.

[illegible]

Chipotle

Store No. 0673
South Ridge
South Ridge Village
2801 Pine Lake Road
Lincoln, Nebraska 68512

| | | | |
|------------------|---------------------------------|-------------------|---|
| BUILDING CODE: | 300 INTERNATIONAL BUILDING CODE | FIRE CODE: | 300 INTERNATIONAL FIRE CODE |
| MECHANICAL CODE: | 197 UNIFORM MECHANICAL CODE | LIFE SAFETY CODE: | 300 NFPA 10 LIFE SAFETY CODE |
| PLUMBING CODE: | 300 UNIFORM PLUMBING CODE | GAS CODE: | 1961 LINCOLN GAS CODE |
| ELECTRICAL CODE: | 300 NATIONAL ELECTRICAL CODE | ACCESSIBILITY: | ADA ACCESSIBILITY GUIDELINES HANSBACH ACCESSIBILITY GUIDELINES |

| Occupancy Group: | | Type I-3, Unsprinkled | | Type I-3, Unsprinkled | |
|--|--|-----------------------|--|-----------------------|--|
| 1. Occupancy Group: | | | | | |
| 2. Type of Construction: | | | | | |
| 3. Alternate Area, A-2 Occupancy: | | | | | |
| Alternate (Table 602): | | | | | |
| Actual Area: | | | | | |
| 4. Alternate No. of Stories: | | | | | |
| Actual No. of Stories: | | | | | |
| Alternate Building Height: | | | | | |
| Actual Building Height: | | | | | |
| 5. Occupied Level, Floor Space: (See Sheet A100) | | | | | |
| Minimum-occupied: | | | | | |
| Design floor and minimum: | | | | | |
| Design floor and maximum: | | | | | |
| Design floor and minimum: | | | | | |
| Design floor and maximum: | | | | | |
| Total floor for occupied level: | | | | | |
| Roofing area: | | | | | |
| 6. Easing: | | | | | |
| Method of easing: | | | | | |
| Minimum clearance in exit: | | | | | |
| Exit width: | | | | | |
| 7. Fire sprinklers: | | | | | |
| 8. Fire Fighting (See Sheet A100) | | | | | |
| (See Planning Code) | | | | | |

GRAPHIC SYMBOLS

| | |
|----|------------------------------------|
| 1 | DOOR NUMBER |
| 2 | KITCHEN EQUIPMENT NUMBER |
| 3 | ROOM/SPACE NUMBER |
| 4 | FURNITURE NUMBER |
| 5 | WALL/CEILING/ROOF EQUIPMENT NUMBER |
| 6 | WALL/DOOR & KITCHEN ACCESSORY |
| 7 | ELEVATION REFERENCE |
| 8 | PLAN NORTH |
| 9 | SECTIONAL REFERENCE |
| 10 | BALL BALM |
| 11 | BALL MOORM |

| | | | | |
|----------|--|-----------------------|--|--|
| Landstar | <p>Knapp Development 1840 Pine Lake Road, Suite C Pine Lake, GA 30270 Tel. (404) 482-7271 Fax (404) 482-0328 Contact: Pat Knapp</p> | Midwestern Poultry | <p>Midwest Company 754 Sherman Road St. Charles, MO 63309 Tel. (314) 522-1110 Fax (314) 522-0445 Contact: Bob Jones</p> | <p>Midwest Poultry 754 Sherman Road St. Charles, MO 63309 Tel. (314) 522-1110 Fax (314) 522-0445 Contact: Bob Jones</p> |
| | <p>Ortman 11433 Rogers Street, Suite 203 Tomball, Texas 77455 Tel. (281) 358-2974 Contact: John Spradley</p> | Eastland | | |
| Landmark | <p>P.M. Architects 1404 V Street, Suite 201 Omaha, Nebraska 68127 Tel. (402) 462-8271 Fax (402) 462-8273 Contact: Nathan S. Faust</p> | | | |

[illegible]

This is a high-contrast, black and white aerial photograph of a city grid, likely New York City. The image shows a dense pattern of streets and buildings. A rectangular area in the lower right quadrant is labeled 'POLICE' and 'STATION'. The image is framed by a thick black border.

① VICINITY MAP

KEY PLAN

A 000

FOR THE
UNITED STATES OF AMERICA

Store: 80673
South Ridge
2801 Pine Lakes Road
Lincoln, Nebraska 68512

11

Cover Sheet

A

JULY 2003 ADDENDUM TO SHELL PERMIT B0301437

SOUTH RIDGE VILLAGE

SOUTH 27th & PINE LAKE ROAD
LINCOLN NE

ZONING H4 - OCCUPANCY M - TYPE VB¹ - NFPA 13

ALL REVISIONS SHALL BE SHOWN BY CIRCLE NUMBER AND DATE. REVISIONS SHALL BE SHOWN BY CIRCLE NUMBER AND DATE. REVISIONS SHALL BE SHOWN BY CIRCLE NUMBER AND DATE.

SHEET INDEX

- A-1 ADDENDUM TO SHEET A-1
- A-2 ADDENDUM TO SHEET A-2
- A-3 ADDENDUM TO SHEET A-3
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- A-5 ADDENDUM TO SHEET A-5
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- A-100 ADDENDUM TO SHEET A-100

STRUCTURAL STRUCTURAL DESIGN GROUP

Pine Lake Road

South 27th Street

South 29th Street

Porter Ridge Road

Legal Description

LOT 1, SOUTH RIDGE VILLAGE, 400,000 SQ. FT., LOCATED IN THE 1/4 SECTION 16, TOWNSHIP 2 NORTH, RANGE 2 EAST, OF THE 66 N.W. 1/4, LINCOLN, LANCASTER COUNTY, NEBRASKA

General Site - Utilities Plan



NOV 12 2004

RECEIVED

APRIL 2003

del. i. Stasheim, architect
3427 Nebraska
402-488-9353

psa
3427 Nebraska
402-488-9353

AMI

South Ridge Village

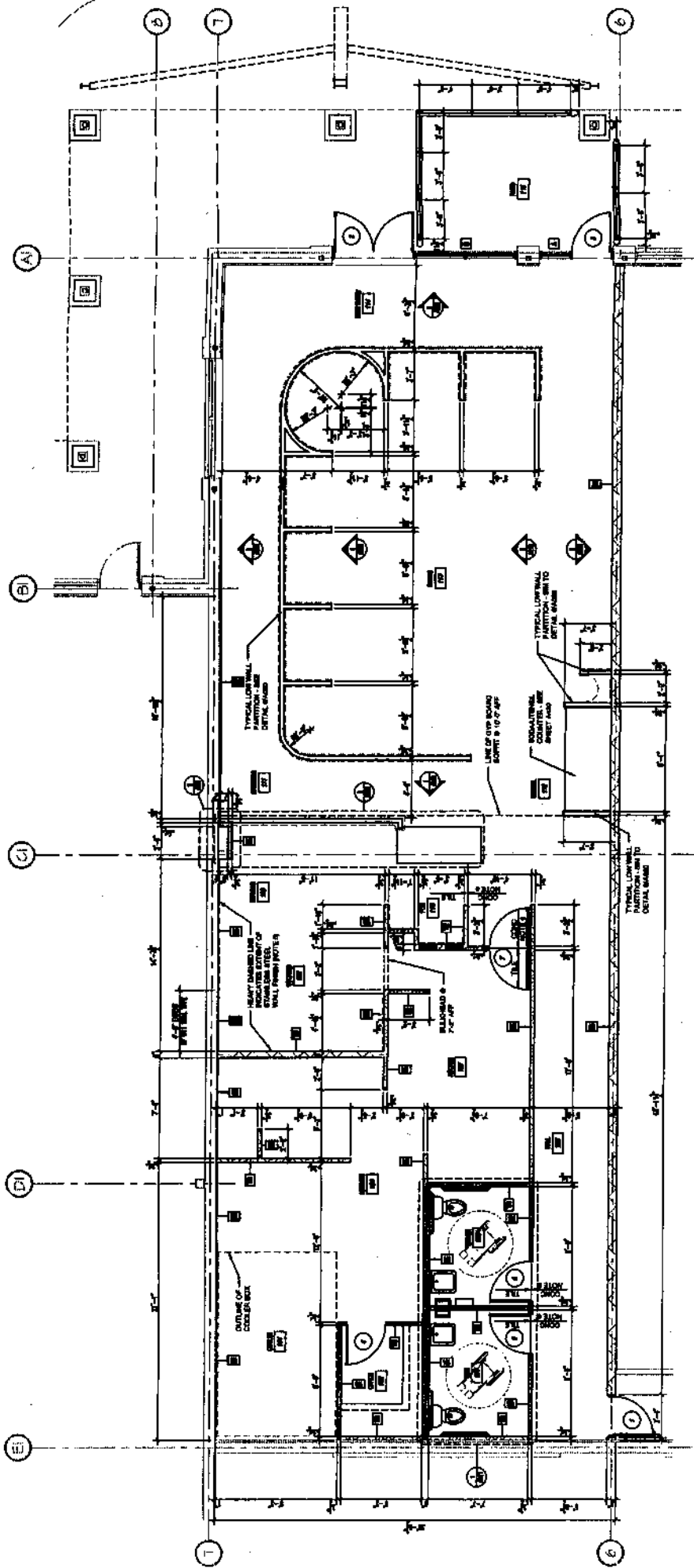
Lincoln, Nebraska

STAINLESS STEEL WALL
FRAMING OVER PLANKWOOD
FRAMING & W.O.C.

STAINLESS STEEL WALL
FRAMING OVER PLANKWOOD
FRAMING & W.O.C.

LINE OF STUD BOARD
SCAFFOLD

DETAIL OF SERVING WALL



ARCHITECTURAL FLOOR PLAN

RECEIVED

NOV 12 2004

WOOD BRIDGE/LANCASTER COUNTY
PLANNING DEPARTMENT

CHIPOTLE MEXICAN GRILL-SOUTH RIDGE PURPOSE STATEMENT

Chipotle Mexican Grill is a national chain restaurant featuring upscale burritos and other Mexican specialty foods in a casual atmosphere. This will be the second restaurant in Lincoln and the fourth in Nebraska. The restaurant offers a limited range of alcoholic beverages, including beer, wine and margaritas, to its adult guests for consumption on the premises. The total sale of alcoholic beverages is only 15% of its gross revenues. The restaurant is open from 11:00 a.m. to 11:00 p.m. seven days a week. The restaurant is located in a larger retail/commercial development. The restaurant will cover approximately 2,831 square feet. The entire 414 parking spaces in the common areas of the commercial development are available for the use of the restaurant's customers pursuant to Article 2.1(h) of the lease agreement and the parking requirements are therefore adequate. The location is not within 100 feet of any daycare facility, park, church, state mental health institution or residential district, nor is any access door within 150 feet of any residential district. Lighting on the property will be in accordance with applicable lighting regulations and requirements. There is no drive-thru or outside sound or noise source. Adequate vehicle access is available for the entire retail complex area.

